

1 The Honorable Stanley A. Bastian
2

3 William D. Pickett, WSBA #27867
4 LARSON | GRIFFEE | PICKETT, PLLC
5 105 N. Third Street
6 Yakima, Washington 98901
7 Tel: 509-972-1825
8 bill@lgplawfirm.com
9 *Attorney for Plaintiff*

10 Luan T. Le, *pro hac vice*
11 Law Offices of Luan T. Le
12 1190 S. Bascom Ave, Suite 213
13 San Jose, CA 95128
14 Tel: 408-247-4715
15 Email: ledowningllp@gmail.com
16 *Co-counsel for Plaintiff*

17 Seth W. Wiener, *pro hac vice*
18 Law Offices of Seth W. Wiener
19 609 Karina Court
20 San Ramon, CA 94582
21 Tel: 925-487-5607
22 Email: seth@sethwienerlaw.com
23 *Co-counsel for Plaintiff*

24 **UNITED STATES DISTRICT COURT**
25 **EASTERN DISTRICT OF WASHINGTON**

26 DEMETRIOS VORGIAS,

27 Plaintiff,

28 v.

29 COMMUNITY HEALTH OF CENTRAL
30 WASHINGTON,

31 Defendant.

32 **Case No.: 1:21-cv-03013-SAB**

33 **PLAINTIFF'S WITNESS
34 AND EXHIBIT LIST**

35 Pursuant to the Court's Order setting trial date and deadlines, (ECF No. 89),
36 Plaintiff identifies the following witnesses and exhibits. As noted in the Court's
37 initial scheduling order, Plaintiff's trial exhibits are to be numbered 1 through 199:

A. WITNESSES

1. Demetrios Vorgias, c/o Luan T. Le, 1190 S. Bascom Ave, Suite 213, San Jose, CA 95128, Tel: (408) 247-4715. This person has discoverable information concerning: (a) Plaintiff's disabilities; (b) Plaintiff's residency at Community Health of Central Washington ("CHCW"); (c) CHCW's discriminatory treatment of Plaintiff; (d) Plaintiff's damages.

2. Rebecca Ward – (Plaintiff's Wife). This person has information concerning Plaintiff's disabilities, residency at CHCW and damages.

3. Kelly Cornett, PsyD, CBIS, Rehabilitation Institute of Washington, PLLC, 415 1st Avenue N., Suite 200, Seattle, WA 98109, Tel.: (206) 859-5036. This person has discoverable information concerning: (a) Plaintiff's disabilities.

4. Micahlyn Powers, MD, CHCW's Residency Program Director, Tel.: (509) 452-4946. This person has discoverable information concerning: (a) Plaintiff's disabilities; (b) Plaintiff's residency at CHCW; (c) CHCW's discriminatory treatment of Plaintiff; (d) Plaintiff's damages.

5. Tess Ish-Shalom, DO MS, 5373 Main Street, Hillsboro, OR 97123. This person has discoverable information concerning: (a) Plaintiff's disabilities; (b) Plaintiff's residency at CHCW; (c) CHCW's discriminatory treatment of Plaintiff; (d) Plaintiff's damages.

6. Mark J. Bauer M.D., P.O. Box 580, Naches, WA 98937. This person has discoverable information concerning: (a) Plaintiff's disabilities; (b) Plaintiff's residency at CHCW; (c) CHCW's discriminatory treatment of Plaintiff; (d) Plaintiff's damages.

7. Ed Prasthofer MD, 108 C Street, Salt Lake City, Utah, 84103,
Tel.: (303) 877-1922. This person has discoverable information concerning: (a)

1 Plaintiff's disabilities; (b) Plaintiff's residency at CHCW; (c) CHCW's
2 discriminatory treatment of Plaintiff; (d) Plaintiff's damages.

3 8. Douglas E. Coon, Regional Medical Director, West Division
4 Envision Healthcare Inc., Tel.: (360) 420-3817. This person has discoverable
5 information concerning: (a) Plaintiff's disabilities; (b) Plaintiff's residency at
6 CHCW; (c) CHCW's discriminatory treatment of Plaintiff; (d) Plaintiff's
7 damages.

8 9. Judith Harvey MD, 902 S 31st Avenue, Yakima WA 98902. This person
9 has discoverable information concerning: (a) Plaintiff's disabilities; (b)
10 Plaintiff's residency at CHCW; (c) CHCW's discriminatory treatment of
11 Plaintiff; (d) Plaintiff's damages.

12 10. Caitlin C.D. Hill, MD, CHCW Faculty, Tel: (218) 260-1380. This person
13 has discoverable information concerning: (a) Plaintiff's disabilities; (b) Plaintiff's
14 residency at CHCW; (c) CHCW's discriminatory treatment of Plaintiff; (d) Plaintiff's
15 damages, *previously disclosed to Defendant on 10/01/21*.

16 11. Carlin Miller DO, 1806 W Lincoln Avenue, Yakima WA 98902,
17 Tel.: (509)823-6566. This person has discoverable information concerning: (a)
18 Plaintiff's disabilities; (b) Plaintiff's residency at CHCW; (c) CHCW's
19 discriminatory treatment of Plaintiff; (d) Plaintiff's damages.

20 12. Laura Moss MD, Washington Physician's Health Program 720
21 Olive Way Suite 1010, Seattle WA 98101-1819. This person has discoverable
22 information concerning: (a) Plaintiff's disabilities and requests for
23 accommodation(s).

24 13. Cynthia Morales MA, LMHC; Washington Physician's Health
25 Program 720 Olive Way Suite 1010, Seattle WA 98101-1819. This person has
26 discoverable information concerning: (a) Plaintiff's disabilities, and requests
27 for accommodation(s).

1 14. Dr. Scott Whitmer PsyD; Whitmer and Associates, Inc. 205 N 40th
2 Avenue Suite 203, Yakima WA 98908. This person has discoverable
3 information concerning: (a) Plaintiff's disabilities, (b) Plaintiff's Damages.

4 15. Dr. Ben E. Kitchens MD, 302 Kaki Street, Iuka MS 38852. This
5 person has discoverable information concerning: (a) Plaintiff's disabilities,
6 medical knowledge, professional abilities, and damages.

7 16. Dr. Katina Rue, DO, 320 W 10th Avenue, Kennewick WA 99336.
8 This person has discoverable information concerning: (a) Plaintiff's disabilities;
9 (b) Plaintiff's residency at CHCW; (c) CHCW's discriminatory treatment of
10 Plaintiff; (d) Plaintiff's damages. *Deposition testimony provided on 11/10/21.*

11 17. Dr. Sagar Vijapura, MD, 9141 Cypress Green Dr. Suite 1,
12 Jacksonville, FL. Plaintiff's current mental health provider. This person has
13 discoverable information concerning: (a) Plaintiff's disabilities, (b) his current
14 treatment and his ability to function as a physician, *previously disclosed to*
15 *Defendant on 10/11/21.*

16 18. Dr Brandon Isaacs, DO, 1806 W Lincoln Avenue, Yakima WA
17 This person has discoverable information concerning: (a) Plaintiff's
18 disabilities; (b) Plaintiff's residency at CHCW; (c) CHCW's
19 discriminatory treatment of Plaintiff; (d) Plaintiff's damages. Deposition
20 testimony provided on 10/18/21.

22 **B. EXHIBITS**

23 Pursuant to the Court's Amended Scheduling Order, Plaintiffs further
24 provide a description of the exhibits they may offer at the time of trial. Plaintiffs
25 reserve the right to object to the admissibility of any such exhibit, and reserve
26 the right not to offer at trial.

1. Previously disclosed/produced, marked herein as Plaintiff's Ex. No.
2; Titled: Central Washington Family Medicine Residency Program Resident
3 Handbook.

4. Previously disclosed/produced, and marked herein as Plaintiff's Ex.
5 No. 2; Titled: Central Washington Family Medicine Residency Program
6 'Resident Contract in Family Medicine'.

7. Previously disclosed/produced, and marked herein as Plaintiff's Ex.
8 No. 3; Titled: Central Washington Family Medicine Residency Verification of
9 Graduate Medical Education & Training.

10. Previously disclosed/produced, and marked herein as Plaintiff's Ex.
11 No. 4; Titled: December 11, 2019 letter from Dr. Laura Moss, MD and Cynthia
12 Morales, MA, LMHC at Washington Physicians Health Program (WPHP).

13. Previously disclosed/produced, and marked herein as Plaintiff's Ex.
14 No. 5; Titled: April 19, 2019 email from Cynthia Morales at WPHP to Dr.
15 Micahlyn Powers.

16. Previously disclosed/produced, and marked herein as Plaintiff's Ex.
17 No. 6; Titled: Neuropsychological Assessment Report of Dr. Kelly Cornett,
18 PsyD, CBIS at Rehabilitation Institute of Washington, PLLC.

20. Previously disclosed/produced, and marked herein as Plaintiff's Ex.
21 No. 7; Titled: Plaintiff Demetrios Vorgias' Supplemental Initial Disclosure re:
22 Damages (Economic Loss tables only, for illustrative purposes).

23. Previously disclosed/produced, and marked herein as Plaintiff's Ex.
24 No. 8; Titled: Plaintiff's FRCP 26 Initial Expert Witness Disclosure/Report of
25 Dr. Scott Whitmer (for illustrative purposes only).

26. Previously disclosed/produced, and marked herein as Plaintiff's Ex.
27 No. 9; Titled: Plaintiff's Letters of Recommendation from CHCW staff.
28

1 10. Previously disclosed/produced, and marked herein as Plaintiff's Ex.
2 No. 10; Titled: Medical Residency Jobs Plaintiff Applied to via Medical
3 Residency Portal.

4 11. Previously disclosed/produced, and marked herein as Plaintiff's Ex.
5 No. 11; Titled: St. George's University Medical Student Performance
6 Evaluation.

7 12. Previously disclosed/produced, and marked herein as Plaintiff's Ex.
8 No. 12; Titled: ACGME Institutional Requirements.

9 13. Previously disclosed/produced, and marked herein as Plaintiff's Ex.
10 No. 13, Titled: ACGME Program Requirements for Graduate Medical
11 Education in Family Medicine, effective July 14, revised July 1, 2017.
12

C. RESERVATIONS

13 In addition to the foregoing, Plaintiff reserves the right:
14

- 15 1. To use any exhibit on Defendants list;
- 16 2. To call any person listed on any Defendant's witness list;
- 17 3. To call rebuttal/impeachment witnesses, any other party or witness
identified during the discovery;
- 18 4. To call Records custodians of any person and/or entity named on any
party's witness list;
- 19 5. To call witnesses in rebuttal to allegations presented by Defendants
during the presentation of their case in chief, and
- 20 6. To call any witnesses necessary to authenticate or lay foundation for
documents.

22 Respectfully submitted, August 8, 2022.
23
24
25
26
27
28

1 LARSON GRIFFEE PICKETT, PLLC 2 By: s/William Pickett 3 William D. Pickett, WSBA #27867 4 105 N. Third Street 5 Yakima, WA 98901 6 bill@lgplawfirm.com 7 <i>Attorney for Plaintiff</i>	LAW OFFICES OF SETH W. WIENER By: s/Seth W. Wiener Seth W. Wiener, CSBA #203747 609 Karina Court San Ramon, CA 94582 Email: sethwiener@wienerlaw.com <i>Attorney for Plaintiff – Pro Hac Vice</i>
6 LAW OFFICES OF LUAN T. LE 7 By: s/Luan Le 8 Luan T. Le. CSBA #171029 9 1190 S Bascom Avenue, Suite 213 10 San Jose, CA 95128 11 Email: ledowningllp@gmail.com 12 <i>Attorney for Plaintiff – Pro Hac Vice</i>	

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Luan T. Le, *pro hac vice*
Law Offices of Luan T. Le
1190 S. Bascom Ave, Suite 213
San Jose, CA 95128
Tel: 408-247-4715
Email: ledowningllp@gmail.com
Co-counsel for Plaintiff

Seth W. Wiener, *pro hac vice*
Law Offices of Seth W. Wiener
609 Karina Court
San Ramon, CA 94582
Tel: 925-487-5607
Email: seth@sethwieenerlaw.com
Co-counsel for Plaintiff

Catharine Morisset, WSBA #29682
Suzanne Kelly Michael, WSBA # 14075
Fisher & Phillips, LLP
1201 Third Avenue, Ste. 2750
Seattle, Washington 98101
Tel: 206-682-2308
Email: cmorisset@fisherphillips.com
smichael@fisherphillips.com
Attorneys for Defendant

DATED at Yakima, Washington, this 8th day of August, 2022.

By: s/ William D. Pickett
William D. Pickett, WSBA No. 27867